

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/733,548 Confirmation No. 7747
Applicant : Hans Kappelhoff
Filed : 12/11/2003

Art Unit : 3671
Examiner: : Arpad F. Kovacs

Docket (atty ref.) No. : 09209-US
Title : GATHERING AND PICKING DEVICE

Moline, IL 61265
11 July 2005

Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

Responsive to the Notice of Abandonment, dated March 25, 2005, Applicant respectfully requests a withdrawal of the holding of abandonment, subject to Applicant's submission of the enclosed terminal disclaimer that disclaims the terminal part of any patent granted on the above application for the period between May 25, 2005 and the filing date of this petition.

The Director is hereby authorized to charge Applicant's Deposit Account 04-0525 the amount required under 37 CFR 1.20(d) for the filing of the terminal disclaimer. No additional fees are required for the filing of this petition, but any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

The Notice of Abandonment was erroneously issued because of Applicant's alleged failure to reply to the Office Action, dated 7/26/2004. However, Applicant responded to the Office Action on 10/26/04. Applicant has enclosed a copy of the Amendment dated 10/26/04 and the accompanying facsimile transaction report

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which shows successful transmission of 5 pages of the Amendment to the appropriate fax number (703-872-9306) of the U.S. Patent Office.

For the foregoing reasons, Applicant seeks a withdrawal of the holding of abandonment and the entry of the Amendment dated 10/26/04 into the file of the application. If there are any questions or concerns, please contact the undersigned.

Respectfully,


Attorney for Applicant(s)

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I hereby certify that this correspondence is being transmitted to the U.S. Patent Office via facsimile or deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
on: July 15, 2005 Date

Deere & Company